

**Amendment No. 3 to HB3058**

**Armstrong**  
**Signature of Sponsor**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 2687\***

**House Bill No. 3058**

by deleting all provisions of the bill following the enacting clause and substituting the following:

WHEREAS, technology-based information tools, such as the personal computer and the Internet, are becoming increasingly critical to educational and economic advancement; and

WHEREAS, the ability to effectively and efficiently employ this advanced technology is progressively essential for full participation in Tennessee's economic, political, and social life; and

WHEREAS, there is a continuously growing divide between school-age children with access to these information tools and advanced technology and those children without such access; and

WHEREAS, it is well-established and generally acknowledged that as information technology gains an ever-increasing role in our children's educational and economic lives certain children will be left behind in the information age with serious repercussions; and

WHEREAS, the resulting digital divide threatens to impede the health of our communities, the development of a skilled workforce, and the economic welfare of our State; and

WHEREAS, certain entities in both the private and the public sector have surplus technology related goods or excess capacity that could be contributed to and utilized by school-age children who otherwise lack direct and personal access to such advanced technology; and

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WHEREAS, in the best and future interest of Tennessee and so as to increase and expand access to information technologies for underserved populations and areas, the General Assembly hereby creates a pilot program to facilitate access to educational technology by school-age children; now therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF  
TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 65, Chapter 21, is amended by adding the following as a new part:

Section 65-21-301 (a) The Tennessee Regulatory Authority is hereby directed to research, develop and formulate a plan for a program whose purpose is to facilitate access, with the voluntary assistance and contributions of private industry and interested governmental entities, to information tools and educational technology by underserved school-age children.

(b) Such plan shall be filed with the Speaker of the House, the Speaker of the Senate, and the Governor no later than May 15, 2001.

Section 65-21-302. Such plan shall serve as the basis and framework for a program through which the Authority, relative to advanced educational technology, is specifically authorized to organize and facilitate a voluntary collaboration among private industry and federal, state and local governments whereby their goods and/or services may be contributed and utilized.

Section 65-21-303. The Authority, after consulting with the Department of Education, the Department of Human Services and any other appropriate state

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agency, shall by rule develop criteria for determining the eligibility of underserved school-age children for this program; provided that during the pilot phase of the program, the selection of eligible candidates will be equally distributed between urban and rural areas; and provided further, that during the pilot phase of the program, the selection of eligible candidates will be equally distributed among the grand divisions.

Section 65-21-304. The Authority is hereby specifically authorized to promulgate any and all other rules necessary for the establishment and operation of this program.

Section 65-21-305. The Authority and the Department of Education shall submit a joint report on the performance of the pilot phase of the program to the Speaker of the House, the Speaker of the Senate, and the Governor no later than January 15, 2004. Such report shall contain a recommendation on whether to continue and/or expand the program.

Section 65-21-306. The Authority is hereby specifically authorized to receive and disperse contributions made pursuant to this legislation.

SECTION 2. Tennessee Code Annotated, Title 65, Chapter 4, Part 1, is amended by adding the following as a new section:

Section 65-4-126. The Tennessee regulatory authority is authorized to promulgate rules and regulations governing the siting of cellular towers and the requirements for such sites for telecommunications service providers regulated under this title. All such rules and regulations shall be promulgated in

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accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter  
5.

SECTION 3. A cellular or other wireless telecommunications service provider or  
other person who proceeds to construct a new tower shall submit the following  
information to the comptroller of the treasury, division of property assessments:

(1) The location of the tower site which shall include the name of the  
county and the municipality, if appropriate, and the parcel identification number  
and street address;

(2) Directions to the tower site; and

(3) The name, mailing address, and telephone number of the person  
responsible for the ad valorem property tax for the tower.

SECTION 4. Sections 1 and 2 of this act shall take effect on becoming a  
law, the public welfare requiring it. Section 3 shall take effect January 1, 2001,  
the public welfare requiring it. Section 3 shall not apply to the siting of any tower  
that has made application for zoning approval before January 1, 2001.